

Sinco Technologies Pte Ltd. v. Sinco Electronics (Dongguan) Co. Ltd., *et al*

# APPENDIX D.3

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PLAINTIFF'S DISC. DESIGNATIONS & DEFENDANTS' OBJECTIONS

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SINCO TECHNOLOGIES PTE LTD.

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

SINCO TECHNOLOGIES PTE LTD,

Plaintiff,

v.

SINCO ELECTRONICS (DONGGUAN) CO.,  
LTD.; XINGLE ELECTRONICS  
(DONGGUAN) CO., LTD.; XINGKE  
ELECTRONICS TECHNOLOGY CO., LTD.;  
SINCOO ELECTRONICS TECHNOLOGY  
CO., LTD.; MUI LIANG TJOA (an  
individual); NG CHER YONG aka CY NG (an  
individual); and LIEW YEW SOON aka  
MARK LIEW (an individual),

Defendants.

Case No. 3:17CV5517

**PLAINTIFF SINCO TECHNOLOGIES  
PTE LTD'S NOTICE OF INTENT TO  
USE AT TRIAL THE FOLLOWING  
WRITTEN DISCOVERY RESPONSES**

PRETRIAL HEARING

Date: October 5, 2021

Time: 2:30 p.m.

Place: Courtroom 5 – 17<sup>th</sup> Floor

Hon. Edward M. Chen

TRIAL DATE

November 1, 2021

Plaintiff, SINCO TECHNOLOGIES PTE LTD ("SINCO"), provide notice that pursuant to Federal Rules of Civil Procedure 26 and (e) and the Federal Rules of Evidence, as to written discovery responses by Defendants as set forth in detail as follows, which Plaintiff anticipates it may use at trial:

## PLAINTIFF'S DISCOVERY RESPONSE DESIGNATIONS

### **I. XingKe Electronics (Dongguan) Co., Ltd.**

#### **A. *Defendant XingKe Electronics (Dongguan) Co., Ltd.'s Objections and Responses to Plaintiff's First Set of Request for Admissions. Dated May 9, 2019.***

- Request and Response to Admission No. 1
- Request and Response to for Admission No. 13
- Request and Response to for Admission No. 14
- Request and Response to for Admission No. 15
- Request and Response to for Admission No. 19
- Request and Response to for Admission No. 26
- Request and Response to for Admission No. 28 →
- Request and Response to for Admission No. 29
- Request and Response to for Admission No. 30
- Request and Response to for Admission No. 31
- Request and Response to for Admission No. 32
- Request and Response to for Admission No. 33
- Request and Response to for Admission No. 34
- Request and Response to for Admission No. 37
- Request and Response to for Admission No. 38
- Request and Response to for Admission No. 48.1 (12:20-17)
- Request and Response to for Admission No. 48.2 (12:18-28)
- Request and Response to for Admission No. 48.3 (13:2-12)
- Request and Response to for Admission No. 42
- Request and Response to for Admission No. 44



#### **B. *Defendant XingKe Electronics (Dongguan) Co., Ltd.'s Objections and Responses to Plaintiff's First Set of Interrogatories. Dated March 7, 2019.***

- Request and Response to Interrogatory No. 6

- Request and Response to Interrogatory No. 7
- Request and Response to Interrogatory No. 9
- Request and Response to Interrogatory No. 10
- Request and Response to Interrogatory No. 12
- Request and Response to Interrogatory No. 13

**C. *Defendant XingKe Electronics (Dongguan) Co., Ltd.’s Supplemental Objections and Responses to Plaintiff’s First Set of Interrogatories. Dated May 10, 2019.***

- Request and Response to Interrogatory No. 2
- Request and Response to Interrogatory No. 5
- Request and Response to Interrogatory No. 11
- Request and Response to Interrogatory No. 12
- Request and Response to Interrogatory No. 15
- Request and Response to Interrogatory No. 16

**II. Mui Liang Tjoa**

**A. *Defendant Mui Liang Tjoa’s Objections and Responses to Plaintiff’s First Set of Request for Admissions. Dated November 6, 2018.***

- Request and Response to for Admission No. 2
- Request and Response to for Admission No. 3
- Request and Response to for Admission No. 5
- Request and Response to for Admission No. 6
- Request and Response to for Admission No. 7
- Request and Response to for Admission No. 8
- Request and Response to for Admission No. 11
- Request and Response to for Admission No. 12
- Request and Response to for Admission No. 16
- Request and Response to for Admission No. 35
- Request and Response to for Admission No. 36
- Request and Response to for Admission No. 44

- Request and Response to for Admission No. 48

***B. Defendant Mui Liang Tjoa's Objections and Responses to Plaintiff's Second Set of Request for Admissions. Dated January 21, 2018.***

- Request and Response to for Admission No. 57
- Request and Response to for Admission No. 59
- Request and Response to for Admission No. 62
- Request and Response to for Admission No. 67
- Request and Response to for Admission No. 73
- Request and Response to for Admission No. 79
- Request and Response to for Admission No. 81

***C. Defendant Mui Liang Tjoa's Objections and Responses to Plaintiff's Set One Interrogatories. Dated December 10, 2018.***

- Request and Response to Interrogatory No. 1
  - RFA #8.
  - RFA #9.
  - RFA #33.
  - RFA #36.
- Request and Response to Interrogatory No. 4
- Request and Response to Interrogatory No. 7

***D. Defendant Mui Liang Tjoa's Amended Objections and Responses to Plaintiff's Set One Interrogatories. Dated December 10, 2018.***

- Request and Response to Interrogatory No. 1
  - RFA #1.
  - RFA #4.
  - RFA #39.
  - RFA #41.

- Request and Response to Interrogatory No. 2

**G. Defendant Mui Liang Tjoa's Amended Objections and Responses to Plaintiff's Set One Interrogatories. Dated February 6, 2019.**

- Request and Response to Interrogatory No. 5
- Request and Response to Interrogatory No. 6

**III. NG CHER YONG**

**A. Defendant Ng Cher Yong's Objections and Responses to Plaintiff's Request for Admissions. Dated January 21, 2019.**

- Request and Response to for Admission No. 11

**IV. Plaintiff Deposition Notices served on Defendants Counsel**

**A. Notice of Deposition of Xu Shugong And Request for Production of Documents. Dated November 16, 2018.**

**B. Amended Notice of Deposition of Gao Bingyi And Request for Production of Documents. Dated December 4, 2018.**

Dated: September 3, 2021

Respectfully submitted,

ROPERS MAJESKI PC

By:



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*Attorneys for Defendants* XINGKE ELECTRONICS  
 (DONGGUAN) CO., LTD., formerly known as  
 SINCO ELECTRONICS (DONGGUAN) CO., LTD.,  
 LIEW YEW SOON aka, MARK LIEW, NG CHER  
 YONG. aka CY NG, and MUI LIANG TJOA aka ML  
 TJOA

**UNITED STATES DISTRICT COURT**  
**FOR THE NORTHERN DISTRICT OF CALIFORNIA**  
**SAN FRANCISCO DIVISION**

SINCO TECHNOLOGIES PTE LTD.,

Plaintiff,

vs.

SINCO ELECTRONICS (DONGGUAN) CO.,  
 LTD.; XINGKE ELECTRONICS  
 (DONGGUAN) CO., LTD.; XINGKE  
 ELECTRONICS TECHNOLOGY CO., LTD.;  
 SINCOO ELECTRONICS TECHNOLOGY CO.,  
 LTD.; MUI LIANG TJOA (an individual); NG  
 CHER YONG aka CY NG (an individual); and  
 LIEW YEW SOON aka MARK LIEW (an  
 individual),

Defendants.

Case No. 3:17-CV-05517-EMC

Action Filed: September 22, 2017

**DEFENDANTS' OBJECTIONS TO  
 PLAINTIFF'S NOTICE OF INTENT TO  
 USE AT TRIAL CERTAIN WRITTEN  
 DISCOVERY RESPONSES**

Date: October 5, 2021  
 Time: 2:30 p.m.  
 Place: Courtroom 5, 17th Floor

**Judge: Honorable Edward M. Chen**

**Trial: November 1, 2021**

Defendants hereby provide their objections to Plaintiff SinCo Technologies Pte. Ltd.'s Discovery Designations exchanged on September 3, 2021. These objections are preliminary only and Defendants reserve their rights to assert any additional objections, and to supplement these objections with additional facts and authority.

#### **GENERAL OBJECTION / COUNTER-DESIGNATION**

To the extent that Plaintiff has designated a discovery response without designating any relevant supplemental or amended responses, Defendants object under the rule of completeness, and counter-designate their supplemental or amended responses. Defendants have attempted to specifically identify relevant instances below, but counter-designate relevant responses even if not specifically listed.

#### **I. Request for Admission ("RFA") to XingKe, Set One**

**RFA No. 15.** Objection - Irrelevant / Unduly Prejudicial. *See* Defs' Motion in Limine No. 3 re: SinCoo.

**RFA No. 19.** Objection - Irrelevant / Unduly Prejudicial. *See* Defs' Motion in Limine No. 2 re: Trademark Proceedings.

**RFA No. 28.** Objection - Irrelevant / Unduly Prejudicial. *See* Defs' Motion in Limine No. 3 re: SinCoo.

**RFA No. 38.** Objection - Irrelevant / Unduly Prejudicial. *See* Defs' Motion in Limine No. 3 re: SinCoo.

**RFA No. 48.1.** Objection - Irrelevant / Unduly Prejudicial. *See* Defs' Motion in Limine No. 2 re: Trademark Proceedings.

**RFA No. 48.2.** Objection - Irrelevant / Unduly Prejudicial. *See* Defs' Motion in Limine No. 2 re: Trademark Proceedings.

**RFA No. 48.3.** Objection - Irrelevant / Unduly Prejudicial. *See* Defs' Motion in Limine No. 2 re: Trademark Proceedings.

**RFA No. 42.** Objection - Irrelevant / Unduly Prejudicial. *See* Defs' Motion in Limine No. 2 re: Trademark Proceedings.



**RFA No. 44.** Objection - Irrelevant / Unduly Prejudicial. *See* Defs' Motion in Limine No. 2 re: Trademark Proceedings.

**II. Interrogatories ("ROG") to XingKe, Set One**

**ROG No. 6.** Objection / Counter-Designation - Completeness. XingKe's Supplemental responses to this ROG should be included as well.

**ROG No. 9.** Objection Counter-Designation - Completeness. XingKe's Supplemental responses to this ROG should be included as well.

**ROG No. 10.** Objection / Counter-Designation - Completeness. XingKe's Supplemental responses to this ROG should be included as well.

**ROG No. 12.** Objection / Counter-Designation - Completeness. XingKe's Supplemental responses to this ROG should be included as well.

**ROG No. 13.** Objection - Irrelevant / Unduly Prejudicial. *See* Defs' Motion in Limine No. 3 re: SinCoo.

**III. Request for Admission ("RFA") to Tjoa, Set One**

**RFA No. 8.** Objection - reference to illegally obtained secret recording.

**RFA No. 11.** Objection - Irrelevant / Unduly Prejudicial. *See* Defs' Motion in Limine No. 2 re: Trademark Proceedings.

**RFA No. 12.** Objection - Irrelevant / Unduly Prejudicial. *See* Defs' Motion in Limine No. 2 re: Trademark Proceedings.

**IV. Request for Admission ("RFA") to Tjoa, Set Two**

**RFA No. 57.** Objection - Irrelevant / Unduly Prejudicial. *See* Defs' Motion in Limine No. 3 re: SinCoo.

**RFA No. 59.** Objection - Irrelevant / Unduly Prejudicial. *See* Defs' Motion in Limine No. 3 re: SinCoo.

**RFA No. 62.** Objection - Irrelevant / Unduly Prejudicial. *See* Defs' Motion in Limine No. 2 re: Trademark Proceedings.

**RFA No. 79.** Objection - Irrelevant / Unduly Prejudicial. *See* Defs' Motion in Limine No. 2 re: Trademark Proceedings.

**RFA No. 81.** Objection - Irrelevant / Unduly Prejudicial. *See* Defs' Motion in Limine No. 2 re: Trademark Proceedings.

**V. Interrogatories ("ROG") to Tjoa, Set One**

General Objection. Plaintiff cited Amended Interrogatory Responses from Tjoa dated 12-10-2018 and 1-10-2018, but we were unable to locate any amended interrogatory responses of that date. Please provide copies of any reference documents, so that we can review to verify if they do exist. In the interim, Defendants reserve all objections.

**ROG No. 1 (RFA 41).** Objection - Irrelevant / Unduly Prejudicial. *See* Defs' Motion in Limine No. 3 re: SinCoo.

**ROG No. 4.** Objection / Counter-Designation - Completeness. Tjoa's Supplemental responses to this interrogatory should be included as well.

Dated: September 9, 2021.

ARNOLD & PORTER KAY SCHOLER LLP

By: /s/ Douglas A. Winthrop  
DOUGLAS A. WINTHROP

*Attorneys for Defendants*  
XINGKE ELECTRONICS (DONGGUAN) CO.,  
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LIEW YEW SOON aka, MARK LIEW, NG  
CHER YONG. aka CY NG, and MUI LIANG  
TJOA aka ML TJOA

**CERTIFICATE OF SERVICE**

I hereby certify that all counsel of record who are deemed to have consented to electronic service are being served a copy of the foregoing DEFENDANTS' OBJECTIONS TO PLAINTIFF'S NOTICE OF INTENT TO USE AT TRIAL CERTAIN WRITTEN DISCOVERY RESPONSES on September 9, 2021.

/s/ Douglas A. Winthrop  
DOUGLAS A. WINTHROP